

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. WRA0020-US

Confirmation No. 2897

In re PATENT APPLICATION of :

Phillip BRADSHAW

Group Art Unit: Unassigned

Application Serial No. 10/567,110

Examiner: Unassigned

Filed: February 3, 2006

Title: METHOD AND SYSTEM FOR SYNCHRONISING STATIONS WITHIN
COMMUNICATIONS NETWORKS AND STATIONS FOR USE THEREIN

* * * * *

PETITION UNDER 37 C.F.R. 1.181(a)
TO WITHDRAW HOLDING OF ABANDONMENT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 1.181(a), Applicant hereby petitions for the withdrawal of the February 27, 2008 holding of abandonment in the above-captioned application. According to the Notification of Abandonment, "Applicant has failed to provide the full U.S. basic National Fee by 30 months (37 CFR 1.495(b)(2))." 2/28/08 Notification of Abandonment, p. 1. To the contrary, as explained below, Applicant timely authorized payment of the U.S. basic National Fee.

The due date for filing the U.S. basic National Fee was February 4, 2006 (30 months from the August 4, 2003 priority date of Australian Patent App. No 2003904339, upon which International Application No. PCT/US2004/000875, and, in turn, the present national phase application are based).

On February 3, 2006, a day before the February 4, 2006 due date, Applicant filed the attached Return Postcard, which included a checked box affirming "Authorization to charge Deposit Account 03-3975 \$1325." As further explained in the transmittal accompanying the Return Postcard, the authorized \$1325 fee covered the "Basic national fee," as well as various other fees. *See* attached Transmittal To The U.S. Designated/Elected Office (DO/EO/US) Concerning A Submission Under 35 U.S.C. 371, p. 2. The U.S. Patent and Trademark Office does not require the authorization to be in any particular form. *See* MPEP 509.01(I). Thus, the Return Postcard, either itself, or in combination with the accompanying transmittal, constitutes an authorization to charge the U.S. basic national fee. In accordance with this Authorization, Applicant respectfully requests that the \$1325 fee be charged to Deposit Account 03-3975 to the extent that this fee has not already been so charged.

The USPTO File Stamp on the attached Return Postcard is *prima facie* evidence of the filing of this "Authorization to charge Deposit Account 03-3975 \$1325" on February 3, 2006, a full day ahead of the 30 month due date. *See* MPEP 503 ("A postcard receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO."). Consequently, Applicant timely authorized payment of the U.S. basic national fee.

Based on the foregoing, it is requested that the holding of abandonment of the above-captioned application be withdrawn. If the Commissioner should require any further information, or wish to discuss the facts or rules presented herein, please contact the undersigned at the telephone number set forth below.

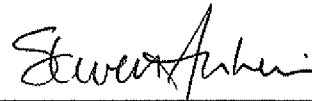
While it is believed that no fee is due, the Commissioner is hereby authorized to charge any fee due with respect to this request to Deposit Account No. 50-2613. *See* MPEP

Serial No. 10/567,110
Art Unit: Unknown
Inventor: Phillip BRADSHAW

Attorney Docket: WRA0020-US
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711.03(c)(I) ("Where an applicant contends that the application is not in fact abandoned (e.g., there is a disagreement as to the sufficiency of the reply, or as to controlling dates), a petition under 37 CFR 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action, and such petition does not require a fee").

Respectfully submitted,

 #43,475

Pop.

Michael Bednarek
Registration No. 32,329

PAUL, HASTINGS, JANOFSKY & WALKER LLP
875 15th Street, N.W.
Washington, D.C. 20005
Tel: 202/551-1847

Enclosure: Copy of 2/3/08 USPTO Stamped Return Postcard
Copy of 2/3/08 Transmittal To The U.S. Designated/Elected Office
(DO/EO/US) Concerning A Submission Under 35 U.S.C. 371

Customer No. 38183

MB/SPA/ggb

PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

541026-0325643

New U.S. National Stage Patent Application of: PHILLIP BRADSHAW

For: METHOD AND SYSTEM FOR SYNCHRONISING STATIONS WITHIN COMMUNICATIONS NETWORKS AND STATIONS FOR USE THEREIN

ATTN: BOX PATENT APPLICATION

AP7 Rec'd PCT/PTO 03 FEB 2006

- ☐ Check in the amount of _____ or ☒ Authorization to charge Deposit Account 03-3975 \$1,325
- ☒ Transmittal Letter
- ☒ Specification of 29 pages: 16 pages description, 12 page(s) claims (for claims 1-53) and 1 Page Abstract
- ☒ Declaration and Power of Attorney (Unexecuted)
- ☒ Drawings - 2 sheets - 2 total figures
- ☐ Recordation Form Cover Sheet
- ☐ Assignment
- ☒ Preliminary Amendment
- ☒ Information Disclosure Statement
- ☒ PTO-1449, 3 reference(s)
- ☒ Other: Copy of PCT Request; Copy of International Search Report; Copy of Written Opinion

10/567110

Due Date: February ⁴2, 2006

Dated: February ³2, 2006

Attorney Docket No.: WRA0020-US

MB/ggb

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**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER
541026-0325643 (WRA0020-US)

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.
PCT/AU2004/000875

INTERNATIONAL FILING DATE
30 JUNE 2004 (30.06.2004)

PRIORITY DATE CLAIMED
4 AUGUST 2003 (04.08.2003)

TITLE OF INVENTION

METHOD AND SYSTEM FOR SYNCHRONIZING STATIONS WITHIN COMMUNICATIONS NETWORKS AND STATIONS FOR USE THEREIN

APPLICANT(S) FOR DO/EO/US

BRADSHAW, Phillip

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

Acknowledgment Postcard; Copy of PCT Request; Copy of Written Opinion

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/AU2004/000875		ATTORNEY'S DOCKET NUMBER 541026-0325643	
24. The following fees are submitted:				Applicant use	Office use
<input checked="" type="checkbox"/> a) Basic national fee \$300.00				\$ 300.00	
<input checked="" type="checkbox"/> b) Examination fee \$200.00				\$ 200.00	
<input checked="" type="checkbox"/> c) Search fee \$500.00				\$ 500.00	
TOTAL OF ABOVE CALCULATIONS = \$1000.00				\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	/50 =		x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	53 - 20 =	33	x \$50.00	\$ 1,650.00	
Independent claims	2 - 3 =	0	x \$200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 2,650.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 1,325.00	
SUBTOTAL =				\$ 1,325.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 1,325.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$ 0.00	
TOTAL FEES ENCLOSED =				\$ 1,325.00	
Amount to be refunded:				\$	
Amount to be charged:				\$	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is _____.					
c. <input type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
MICHAEL BEDNAREK					
REG. NO. 32,329					
PILLSBURY WINTHROP SHAW PITTMAN LLP					
1650 TYSONS BOULEVARD					
MCLEAN, VA 22102					
DATE: FEBRUARY 3, 2006					
				SIGNATURE	
				MICHAEL BEDNAREK	
				NAME	
				32,329	
				REGISTRATION NUMBER	